
On-site Cal/OSHA Consultation at Your Workplace



What an on-site Cal/OSHA consultation is

Employers in California who want help in identifying and correcting safety and/or health hazards in their workplace can obtain the free, on-site technical assistance of consultants from the Cal/OSHA Consultation Service.

Although enforcement and consultation are both functions of the Division of Occupational Safety and Health (DOSH), the Consultation Service is separate and distinct from the enforcement branch.

Cal/OSHA Consultation Service's voluntary assistance program helps employers solve safety and health problems in the workplace through cooperative efforts instead of enforcement. A consultation visit is never automatic or unexpected—an employer must request it.

During an on-site consultation, consultants do not issue citations or assess penalties for work practices or conditions noted that violate state occupational safety and health standards. However, an employer does have a legal obligation to eliminate any hazard of which he/she becomes aware.

There is also protection for employers who use the Consultation Service. Neither the employer's identity, nor reports or correspondence resulting from on-site consultations, are available to DOSH enforcement offices for use in scheduling routine compliance inspections.

Another important feature of the consultation program is that employers with fixed facilities who have 250 or

fewer employees can now exempt themselves from routine DOSH compliance inspection for one year—if they have had a full Cal/OSHA Consultation Service survey and are actively participating in a voluntary compliance program.

Although assistance from the Consultation Service is available to all California employers, when scheduling consultations priority is given to requests from smaller businesses, and from companies in high-hazard industries.

The Cal/OSHA Consultation Service is staffed with experienced professional safety engineers and industrial hygienists, who can survey a workplace with a critical eye and apply their expertise in identifying and eliminating occupational hazards, taking into consideration the special problems or unique operations of a firm.

A consultation is not necessarily limited to a physical survey of a workplace to uncover violations of the Cal/OSHA standards. The consultant can also analyze work practices and point out those that are likely to result in employee illness or injury.

The consultant may also recommend preventive measures to improve a firm's occupational injury and illness record—such as labor-management safety and health committees, poster displays, training programs to alert employees to hazards, ongoing employee safety and health meetings.

The only obligation an employer must accept in order to receive free on-site consultation assistance is to agree to correct, in a timely manner, any serious job safety and health hazards found during the course of the consultation visit.

The employer must agree to this before a consultant can begin the actual on-site consultation.

Usually a consultation involves:

- an opening conference with management to explain the employer's rights and obligations
- a walkthrough survey to evaluate the mechanical, physical and environmental hazards of the workplace and work practices, and the present job safety and health program
- a closing conference with management to discuss the conditions noted during the survey and to make recommendations
- a written report outlining the conditions found and any recommendations or agreements made
- a follow-up visit, if appropriate, to assure that any necessary corrections have been made.

2:Employer request for consultation

An employer may request assistance from any of the Cal/OSHA Consultation Service offices throughout the state by telephone, letter, or in person (see back of brochure for addresses and telephone numbers).

The request may be for a complete review of the firm's safety and health conditions, for assistance or information concerning a specific problem, or both. The assigned consultant will contact the employer, usually by telephone, to listen to the employer's needs and to set up a time and date for the on-site consultation.

3:Opening conference

When the consultant arrives at the worksite for the scheduled visit, he/she reviews with the employer the role of the Consultation Service in providing the requested assistance. The consultant explains the relationship between the Cal/OSHA Consultation Service, the Division of Occupational Safety and Health (DOSH) and federal OSHA.

The employer is advised of his/her obligation to protect employees if serious hazard conditions are identified by the consultant during the survey.

The consultant also suggests that an employee representative participate in the walkthrough of the workplace. Informed and alert employees can more easily work with the employer in an ongoing job safety and health program to identify and correct potential injury and illness hazards.

The employer is expected to allow the consultant to confer with employees as needed during the course of the walkthrough, because a worker's description of a particular job or operation may reveal a potential hazard associated with a process or work practice that might otherwise be overlooked.

4:Walkthrough

Together the employer or his/her representative, an employee representative if provided, and the consultant examine conditions in the workplace. In particular, the consultant studies specific conditions or operations indicated by the employer.

Where appropriate, the consultant also points out safety or health risks that might not be covered by the

Cal/OSHA standards, yet nevertheless pose safety or health risks to employees.

In a complete review of a company's operations, the consultant looks for mechanical and physical hazards by examining the condition of the buildings and grounds, building floors, stairs, exits, and fire protection.

The consultant reviews the facility's layout and checks for: adequate space in aisles and between machines, storage conditions, equipment such as forklifts, control of electrical hazards and proper application of machine guards.

The consultant evaluates the measures being used to limit employee exposure to environmental hazards such as toxic substances, corrosives, and especially airborne contaminants. The consultant also examines the use of personal protective equipment and notes any problems that employees may face from exposure to noise, vibration, extreme temperatures, unusual lighting and other working conditions.

Where appropriate, the consultant takes samples for laboratory analysis to determine airborne or surface contaminants, or toxic components of materials used in the workplace.

Work practices, including use, care and maintenance of hand tools and portable power tools, and general housekeeping are also reviewed.

The consultant will want to discuss ongoing programs for employee training, safety and health orientation and procedures, and maintenance and repair of equipment.

Management and employee attitude toward safety and health are evaluated, as well as current injury and illness data. The consultant may also review records or minutes of safety and health committees, safety and

health meetings, and any in-plant safety and health inspection programs.

In rare instances, the consultant may find during the walkthrough a situation that poses an imminent danger to employees. In such cases, the consultant advises the employer of the need to take immediate action to protect affected employees.

5:Closing conference

Following the walkthrough, the consultant and employer meet in a closing conference, during which the consultant reviews with the employer any new practices that need to be established and those currently being used that are not effective. The employer and consultant discuss problems, possible solutions, and correction methods or means to control any hazards that may have been identified during the walkthrough.

If hazards judged to be serious violations under Cal/OSHA criteria are found, the consultant works with the employer to develop a mutually acceptable plan and schedule to eliminate or control those hazards. Consultants can offer general approaches and options, and when appropriate, suggest sources for additional technical assistance. Cal/OSHA consultants are not allowed to provide any in-depth engineering or design services themselves. The consultant may offer suggestions for establishing or strengthening the company's safety and health program - including such aspects as employee training, supervision, safety and health committees, and a variety of ways to promote safety and health.

6:Follow-through & correction

Following the closing conference, the consultant will send the employer a written report that explains the findings and confirms the correction periods agreed upon, when applicable. The consultant may also contact the employer from time to time to check on the progress being made in correcting any unsafe condition found. The employer, of course, is free to contact the consultant for additional assistance at any time.

Ultimately, the law does require the employer to correct any safety or health hazard. The purpose of the consultation visit is to achieve the objective of the Cal/OSHA law "employers furnishing employment and a place of employment which is safe and healthful for the employees therein.

If an employer fails or refuses to eliminate or control a serious hazard or any imminent danger identified by the consultant according to the plan and within the limits agreed upon that situation would have to be referred by the Consultation Service to the Division of Occupational Safety and Health enforcement unit for review and action as appropriate. This has occurred only rarely in the past."

7:Benefits to employers & employees

The more an employer learns about the potential hazards in his/her company's operations and ways to eliminate them, the better the employer will be able to meet the legal obligations of ensuring employee on-

the-job safety and health. The resulting benefit to employees is a safer and more healthful place in which to work.

The Cal/OSHA Consultation Service program enables the employer to obtain free professional advice and assistance for establishing or strengthening the entire workplace safety and health program, thereby making safety and health a routine consideration instead of a crisis-oriented response.

8:Accidents are expensive

Occupational injuries and illnesses are costly to both the company and its employees. It is the goal of the Cal/OSHA Consultation Service to provide assistance for keeping these unnecessary costs at a minimum.

Costs to employers include:

- increased compensation insurance premiums
- medical expenses
- legal expenses
- wages paid to injured employees who are not producing
- wages paid to non-injured employees who stop production to assist after the accident or stop to watch/talk about it, or who need the output normally provided by the injured worker
- damaged or spoiled materials
- replacement of damaged tools or equipment
- overtime work necessary to make up for lost production
- supervisory and administrative personnel time away from their normal activities, as a result of the accident
- time required of administrative and clerical personnel while investigating the accident,

- processing forms, settling claims
- recruiting and training new employees to replace the injured worker, either temporarily or permanently
- reduced production of new or substitute employees
- reduced production of the injured employee when first returning to work
- public liability claims
- loss of contracts or cancellation of orders
- effects of the accident on the company's image and public relations
- effect on employee morale, or the need to increase wage rates to retain workers for the particular operation
- legal costs for a contested case—preparing the case, providing witness workers and supervisors, judgments, settlements, appeals

Costs to employees include:

- permanent effects of the accident on the health or well-being of the injured worker
- reduction of earnings while recuperating from an accident
- reduction of earnings if the injury or illness affects the worker's ability to perform at the pre-accident level
- reduction of worker's productive work years
- destruction of morale if the accident results in a long term handicap
- hardship to the worker's family

9:On-site, consultants will:

- Help employers identify hazards in the workplace.
- Suggest general approaches or options for solving a safety or health problem.
- Identify kinds of help available to employers if further technical assistance is needed.
- Provide employers with a written report summarizing the findings of a consultation.
- Assist employers in establishing or improving their workplace injury and illness prevention programs.
- Work with the employer in developing and conducting safety and health training of his/her employees.

10:On-site, consultants will NOT:

- Issue citations or propose penalties for violations of Cal/OSHA standards.
- Report violations found to the DOSH enforcement unit, unless the employer fails to cooperate in eliminating them.
- Guarantee that any workplace will pass a DOSH inspection.
- Develop specific engineering designs or recommend a specific private firm to solve problems.
- Reveal trade secrets or release information on specialized processes or operations.

How to get help:

For information and services, contact your nearest area office of the Cal/OSHA Consultation Service, Call our toll free number: (800) 963-9424

Northern California

2424 Arden Way, Suite 410
Sacramento, CA 95825
(916) 263-0704

San Francisco Bay Area

1515 Clay Street, Suite 1103
Oakland, CA 94612
(510) 622-2891

Central Valley

1901 North Gateway Boulevard, Suite 102
Fresno, CA 93727
(559) 454-1295

San Fernando Valley

6150 Van Nuys Boulevard, Suite 307
Van Nuys, CA 91401
(818) 901-5754

Los Angeles

10350 Heritage Park Drive, Suite 201
Santa Fe Springs, CA 90670
(562) 944-9366

San Bernardino, Orange

464 W. 4th Street, Suite 339
San Bernardino, CA 92401
(909) 383-4567

San Diego

7575 Metropolitan Drive, Suite 204
San Diego, CA 92108
(619) 767-2060



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